

Regular Meeting July 19, 2004 Minutes

(Monday, 20 September 2004) - - Last Updated (Monday, 20 September 2004)

Regular Meeting Minutes for July 19, 2004A Regular Meeting of the Mayor and Council of the Borough of Leonia, Bergen County, New Jersey, was held this evening in the Borough Annex commencing at 7:30 pm.

Council Present: Mayor Laurence Cherchi, Councilwoman Heveran, Councilwoman Mitrani, Councilman Puzzo, Councilman Ryan, Councilman Trachtenberg
Council Absent: Council President Dwarica
Also Present: Fran Lehman
Borough Clerk, David Russo, Borough Attorney, Victoria Miragliotta, CFO, Borough Administrator; Bud Jones, Borough Auditor
Mayor Laurence Cherchi called the meeting to order.

Mayor Laurence Cherchi asked everyone to stand while Councilman Trachtenberg led the Pledge of Allegiance.

Mayor Laurence Cherchi stated that the conditions of the Open Public Meeting Act have been met by notice placed on the bulletin board at the Borough Hall and notices sent to the official newspaper.

1. Re-Adoption of the 2004 Municipal Budget to Incorporate Extraordinary Aid and Homeland Security Aid
The Borough Administrator stated the council will be adopting three (3) resolutions. The resolutions will rescind the first budget, amend the second budget and then adopt the amended budget. The Borough Clerk read the rescinding resolution 04-2001. Motion to adopt moved by Councilman Puzzo, seconded by Councilman Trachtenberg. Vote on Resolution: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolution Adopted. The Borough Clerk read the amending resolution 04-2002. Motion to adopt moved by Councilman Puzzo, seconded by Councilman Trachtenberg. Vote on Resolution: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolution Adopted. The Borough Clerk read the adoption resolution 04-2003. Motion to adopt moved by Councilwoman Heveran, seconded by Councilman Ryan. Vote on Resolution: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolution Adopted.

2. Approval of Minutes

Special/Work Session July 7, 2004. Councilwoman Heveran asked that on page 5, letter g, the light rail resolution should reflect that a Citizens Advisory committee was recommended. Mayor Cherchi stated on page 4, his comments should reflect the usage of a sign consultant instead of the planning board. Councilman Puzzo stated on page 2 section 4, corrected the spelling of "Bortz". Motion to adopt minutes as amended moved by Councilwoman Heveran, seconded by Councilman Puzzo. Vote on Minutes: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Minutes Adopted.

Closed Session July 7, 2004. Motion to adopt minutes moved by Councilwoman Mitrani, seconded by Councilman Ryan. Vote on Minutes: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Minutes Adopted.

3. Reports

a. Finance Administration & Personnel

The Borough Administrator spoke of the Extraordinary Aid awarded to the Borough and the savings this will give to the average homeowner. The Borough Administrator stated job descriptions have been completed.

b. Laws and Ordinances

Councilman Puzzo stated the cell tower ordinance is in progress.

c. Police

Councilwoman Mitrani stated there will be a mediation session with the PBA union. The Borough is hoping to appoint a new officer. The problem of dispatching at night has been rectified. The Chief of Police and the Police Commission will meet with the Taxpayer's Association in August to resolve any outstanding issues. An effort has been made to seek crossing guards.

d. Fire

Councilwoman Heveran stated from June 21st to July 19th, the fire department went on 29 calls, 3 were working fires. Mary Ellen Peters has completed Firefighter 2 class. Captain Chace and Lt. Robert Chace have completed the Emergency Program Manager course.

e. Ambulance

Councilman Trachtenberg stated there is an ordinance before the council regarding the Ambulance Corp stipend. For the month of June, Donna Fortunato had 24 calls, Beth Lutchen had 15, Eddie Milan had 30, Leonel Morales had 38, Jenny Morgan had 12, Norman Shear had 15, Barnette Silverstein had 17 and Jim Tappen had 16.

f. Public Works

Councilman Ryan stated the bids for Leonia Avenue will be opened on August 6th. Elm Street lot will be re-stripped. There have been complaints regarding truck traffic on Grand Avenue occurring early in the morning and on the weekends.

g. Borough Administrator

The Senior Bus is running four (4) days a week. The State has not been billed for the gateway project which permits the Borough to remove the gateway without approval. The Borough is waiting for the insurance check prior to the removal of the gateway. There is an issue with the oil tank remediation located at the Fire House. The oil tank removal was authorized by bond ordinance in 2003. The Administrator advised of the history of this project and the problems that are occurring. Immediate authorization is needed for a bid on this project from the Council. Council discussed the cleanup of the site. The police department building remediation is proceeding.

h. Special Bodies

Councilwoman Heveran questioned Councilwoman Mitrani on the Merchants Association requests for the downtown. Councilwoman Mitrani stated the pole by the Recreation Center is active and is on the Faithful Works property. The Streetscape committee has not met, but a meeting is scheduled for next week.

i. Mayor

Mayor Cherchi appointed the following individuals to serve on the Advisory Counsel to the Planning Board: Mr. James Ballot, Ms. Adrienne Albanese, Abbie Tarzia. Mayor Cherchi appointed Bill Ulbrich as a regular member to the Board of Adjustment.

4. Citizens Mr. John Dunn, Deputy Chief of the Fire Department, spoke of the comments that have been posted on the Taxpayer's website. The siren is not 1000 times greater than the allowable level. The fire department does care about the children in Leonia. The manufacturer guarantees decibels at 100 feet of which the fire department has conducted tests. The siren has only tested at 102 decibels at 100 feet. Captain Dunn is suggesting the manufacturer should be brought back to the Borough to discover why the siren is not loud enough. The sound of a baby crying is 102 decibels, a squeak toy is 135 decibels, a symphony concert is 110 decibels. The fire department has made concessions for the Borough.

Mr. Jack Peters of 142 Park Avenue stated many of the Borough buildings have abandoned oil tanks. The Borough may want to consider taking all of the tanks out.

Ms. Louise Galleshaw of 569 Broad Avenue stated according to a letter by prior Chief Greiner the siren produces 118 decibels. Ms. Galleshaw has contacted the distributor who has advised a need study would be conducted, a site would be selected, system mapping would be provided and they are available 24 hours 7 days a week. The residents appreciate the work the fireman provide. The residents would like to have a set time when the siren is to be sounded as was submitted under the previous administration. The siren was supposed to be sounded during daylight hours and during working house fires. Ms. Galleshaw questioned if the fire department or the police department would be in charge of sounding off the siren. Mayor Cherchi stated this topic will be discussed further along in the meeting.

5. Resolutions

Council discussed claims. Motion to adopt resolutions on the consent agenda moved by Councilman Trachtenberg,

seconded by Councilman Ryan. Vote on Resolutions: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolutions Adopted.

6. Adoption of Ordinance Adoption of Ordinance 13-04 entitled: An Ordinance Adopting a Codification and Revision of the Ordinances of the Borough of Leonia, County of Bergen, State of New Jersey, Providing for the Maintenance of Said Code, Repealing and Saving from Repeal Certain Ordinances Not Included Therein, Establishing a Penalty for Altering or Tampering with the Code, Making Certain Changes in Previously Adopted Ordinances.

1. Borough Clerk read the title 2. Borough Clerk gave a summary 3. Public Hearing – No One Spoke

Motion to Adopt moved by Councilwoman Mitrani, seconded by Councilman Trachtenberg. Vote on Adoption: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Ordinance Adopted.

7. Unfinished Business

a. Cell Tower Ordinance

Councilwoman Mitrani stated the committee is drafting an ordinance and hopes to have an ordinance ready by the next meeting. Mayor Cherchi questioned the coverages of any gaps that may be demonstrated in the coverage. The Borough Administrator stated this has been factored into the ordinance. Council discussed setbacks and gaps in coverage within the ordinance.

b. Towing Ordinance

Councilwoman Mitrani stated the ordinance is almost complete and an administrative fee has been included. The ordinance has expanded to allow more companies that would qualify to do the towing. Ordinance will be introduced at the next meeting.

c. Emergency Siren Testing Proposals

The Borough Administrator advised of proposals which have been received. Discussion took place regarding the consultant companies. Councilwoman Heveran noted that Ms. Galleshaw had a good idea and agreed that the manufacturer should be brought to the Borough to conduct the studies and layout of the site. This could be a possible savings to the Borough. The Borough Administrator stated the budget has not anticipated the coverage of these consultants and if adopted the funds would have to be taken from the engineering budget. Council discussed when testing can proceed. Topic will be discussed and updated at the next meeting.

d. Ambulance Corps Stipend Ordinance

Mayor Cherchi questioned the pro-rated leave of absence. Captain Jim Tappen of the Ambulance Corps stated stipends would be provided on a pro rated basis only on the time served prior to the medical leave. Members would not receive a stipend while on medical leave. Ordinance will be placed for introduction at the next meeting.

e. Volunteer of the Year

Mayor Cherchi stated at the last meeting he recommended that John Stendor be recognized as Volunteer of the Year to the County, as well as Martha Lieblich. Councilwoman Mitrani stated she has spoken with Martha Lieblich who has previously received the award and is not eligible. Councilwoman Mitrani nominated Leonel Morales for his service on the Ambulance Corps. Councilman Trachtenberg nominated Ms. Carol Lutchen. Councilwoman Heveran nominated Jose Alvarez and Steve Arlak. Councilman Puzzo nominated Jim Tappen and Frank Livelli. The Council voted and the top 2 candidates are Carol Lutchen and Leonel Morales and the Alternate is Frank Livelli.

f. Fire Alarm Ordinance

The Borough Administrator stated the ordinance changed the fees as well as any tests to an alarm. Notification must be sent to the police department. Ordinance will be introduced at the next meeting.

8. New Business

a. Fire Prevention Ordinance

Councilwoman Heveran stated that she has requested that the Fire Official verify the changes are mandated by the

State. Mayor Cherchi requested that the Borough Attorney review the ordinance. The present ordinance should be attached to the new ordinance so that the Council can see the changes. Mayor Cherchi stated the State statute should be incorporated into the ordinance.

b. Ordinance on Juvenile Drinking

Officer Murphy asked that the Mayor and Council adopt an ordinance that provides for consequences for underage drinking on private property. The law provides that the police can not enforce underage drinking that is occurring on private property. By adoption of this ordinance, the penalty will affect the driver license and the individual will have to do community service. Ordinance will be placed for introduction at the next meeting.

c. Salary Ordinance

Mayor Cherchi suggested that this should be forwarded to the Personnel and Finance Committee for review and recommendations. A recommendation should be forthcoming as to the percentage of increases that should be given.

9. Citizens

Mr. Bob Serkey of 10 Maple Street suggested the Scout Master as a volunteer of the year. Mr. Serkey has a concern with the foreign languages that are on the signs and feels insulted that he can't read some of the signs.

Ms. Lynn Ballerini of 154 Woodridge Place stated the Board of Adjustment should review any ordinances prior to finalization including the cell tower ordinance. The Borough should use the manufacturer as a consultant and the Borough needs to understand the chain of command for sounding the alarm.

Mr. John Dunn, Deputy Fire Chief, of 205 Fairview Avenue of Bogota, stated the hours were clarified last year from 7 am to 9 pm and for working fires after these hours and questioned if after all the testing is completed and discovery proves that the sound is within the limits, will the issue be dropped. Mayor Cherchi stated the issue needs to be resolved.

Motion to enter Closed Session Resolution L moved by Councilman Trachtenberg, seconded by Councilman Puzzo. All in favor, no objections noted.

Motion to exit Closed Session moved by Councilwoman Heveran, seconded by Councilman Puzzo, all in favor, no objections noted.

Motion to authorize the hiring of Maria Rivera as an Officer to the Leonia Police force moved by Councilman Puzzo, seconded by Councilwoman Heveran. Vote on Resolution: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolution Adopted.

Motion to authorize the increase in salary and title to Ms. Claire Flynn moved by Councilwoman Heveran, seconded by Councilman Puzzo. Vote on Resolution: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolution Adopted.

Motion to authorize Borough Administrator agreement moved by Councilwoman Mitrani, seconded by Councilman Trachtenberg. Vote on Resolution: Councilwoman Heveran, yes; Councilwoman Mitrani, yes; Councilman Puzzo, yes; Councilman Ryan, yes; Councilman Trachtenberg, yes. Motion Passes, Resolution Adopted.

Motion to adjourn moved by Councilwoman Mitrani, seconded by Councilman Trachtenberg. All in favor, no objections noted. Inasmuch as there was no further discussion to take place before the Mayor and Council, this meeting adjourned at 10:10 pm.

Respectfully submitted,

Kyla Johnson

